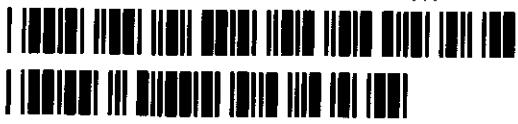


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CLERK AT SEATTLE
WESTERN DISTRICT OF WASHINGTON
DEPUTY

BY



11-CV-01268-ORD

6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 DENNIS FLOKER,

10 Plaintiff,

)
11 v.
12 Defendants.)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)

Case No. C11-1268-JLR

ORDER OF DISMISSAL

SUE COLLINS, *et al.*,

The Court, having reviewed defendants' motion to dismiss, plaintiff's motion to amend,

the papers filed in support of and in opposition to the motions, the Report and Recommendation

of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and ~~any objections of~~

*Plaintiff's Objections to
Q&R (Dkt 27)*

~~responses to that~~, and the remaining record, finds and Orders as follows:

1. The Report and Recommendation is ADOPTED;
2. Plaintiff's motion to amend (Dkt. 16) is GRANTED and the amended complaint is FILED (Dkt. 16-1), but plaintiff's request to further amend the complaint (Dkt. 19) is DENIED as futile;
3. Defendants' motion to dismiss (Dkt. 15) is GRANTED and this matter is DISMISSED without prejudice for failure to state a claim upon which relief may be granted, for lack of ripeness, and for failure to exhaust administrative remedies

ORDER OF DISMISSAL- 1

1 as required by the Prison Litigation Reform Act of 1995 ("PLRA"), 42 U.S.C. §
2 1997e(a);

- 3 4. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

5 DATED this 3rd day of February, 2012.

6 JAMES L. ROBART
7 United States District Judge